

REMARKS

Claims 92-100, 106, 121 and 122 are in the case, and presented for consideration.

The claims now submitted correspond to those claims that were considered allowable in the Decision of the Board of Patent Appeals and Interferences dated September 30, 2004.

Where necessary, amendments have been made.

For example, in Claim 92, the positive numbers v , w and u have been defined as being positive numbers. Although in the Decision these symbols were assumed to "be at least a positive integer", in fact, as supported by the specification at pages 11-14, these numbers, while always being positive, are rarely whole numbers (integers). Instead, they can take on a variety of fractional values which make up the various permitted compounds of silicon, nitrogen and hydrogen defined in Claim 92.

Claim 92 and the remaining claims are now believed to be in proper form under 35 U.S.C. 112, as well as being novel and unobvious over the prior art.

Claims 95, 98, 100 and 106 have been amended to depend only from Claim 92.

Claim 121, which was originally a dependent claim, has been amended to incorporate the subject matter of its independent claim; namely, Claim 107, which has been cancelled by this Amendment.

It is believed that by this Amendment, the application is now in condition for allowance, and favorable Action is respectfully requested.

Respectfully submitted,



Peter C. Michalos
Reg. No. 28,643
Attorney for Applicant

(845) 359-7700

Dated: Oct. 16, 2004

NOTARO & MICHALOS P.C.
100 Dutch Hill Road
Suite No. 110
Orangeburg, New York 10962-2100

Customer No. 21706

PCM:al